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COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

DATE: March 28, 2003

OFFICE CORRESPONDENCE FILE:

FROM: RICHARD L. CASTRO, COMMANDER
LEADERSHIP & TRAINING DIVISION

TO: RUSS COLLINS, CAPTAIN
SAN DIMAS STATION

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS HIT SHOOTING, JUNE 14, 2002, REVIEW #2065694**

The purpose of this memo is to notify you of the review committee's findings and recommendations concerning the use of force incident which occurred on June 14, 2002.

The Committee met on March 27, 2003, and consisted of myself and Commanders Edward Hitchcock (Office of Homeland Security) and Cathy Taylor (Department Equity Commander). The Committee determined that the use of force by Deputies John Detreville #[redacted] and Michael Davis #[redacted] was within Department policy. **Please advise the deputies of this finding.**

The Committee additionally directed the Unit Commander commend all personnel involved in this incident for their outstanding performance in this difficult and dangerous situation.

RLC:KRK:kk



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

STEVE COOLEY • District Attorney
CURT LIVESAY • Chief Deputy District Attorney
PETER BOZANICH • Assistant District Attorney

DAVID H. GUTHMAN • Director

April 2, 2003

Captain Frank Merriman
Los Angeles County Sheriff's Department
Homicide Bureau
5747 Rickenbacker Road
Los Angeles, California 90040

Dear Captain Merriman:

Re: J.S.I.D. File # 02-0566
L.A.S.D. # 002-03683-0815-013

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the June 14, 2002, fatal shooting of Feras B. Abdelrazzaq, age 30, by Los Angeles County Deputy Sheriff's John Detreville, and Michael Davis.[1] We have concluded that both deputies acted lawfully in self-defense and in the defense of others.

The following analysis is based on reports prepared by the Los Angeles County Sheriff's Department totaling 212 pages, the autopsy report prepared by Deputy Medical Examiner Louis Peña, M.D. and a joint investigation conducted by the Sheriff's Department and this office. The District Attorney's Command Center was notified of the shooting on June 14, 2002 at 2:42 p.m. Deputy District Attorney Hector Guzman and District Attorney Senior Investigator [redacted] responded to the scene. We received a briefing of the circumstances surrounding the incident and were provided a walk-through by Detective Sam Dendekker of the Los Angeles County Sheriff's Department, Homicide Bureau.

FACTUAL SUMMARY

On June 14, 2002, at approximately 1:15 p.m., Los Angeles Deputy Sheriff's responded to a fire and rescue call at Maxdem Incorporated, a chemical research building, located at 140 East Arrow Highway in the City of San Dimas. While en route, deputies were advised that

[1] Abdelrazzaq, a Jordanian citizen, was in this country on a work visa. He has no known criminal record in this country.

employees in the building were possibly on fire, that some of them had been stabbed and that there was a man with a knife in the building.

When deputies arrived at the location they saw several individuals running from the building. It appeared that some of them had been burned and at least two had been stabbed. While deputies were still outside of the building, they saw Feras B. Abdelrazzaq chasing an employee who appeared to be bleeding. Abdelrazzaq was armed with a knife in his right hand and a glass container in his left hand.

As Abdelrazzaq chased the employee out of the building, he made eye contact with the deputies. He immediately ran towards them holding the knife in one hand and the glass container in the other. Fearing that they were going to be stabbed or have hazardous chemicals thrown on them, Deputies John Detreville and Mike Davis fired their duty weapons at Abdelrazzaq. Abdelrazzaq was shot several times and subsequently pronounced dead at the scene.

Five civilians were transported to the hospital and treated for burns and stab wounds. Six deputies were overcome by chemical fumes and treated at the scene

Deputy Detreville told investigators that at approximately 1:15 p.m. he received a radio call requesting that units respond to the address of 105 East Arrow Highway.[2] Shortly thereafter the broadcast was updated to a "man with a knife" call. Detreville was in full uniform, wearing a Sheriff's badge and shoulder patches. When he arrived at the location he saw two male adults outside of the Maxdem building near the front steps.[3] One of the male adults was sitting on the steps and the other was dressed only in underwear. It appeared to him that their skin was peeling off and that one of them looked like his hair had been scorched. It also appeared as if a fire extinguisher had been used on them. A short time later, he heard a female adult yell that there was a guy inside holding a knife and stabbing people. He then heard someone yell out, "There he is." He turned to face the front door of the business and saw [redacted] who was covered in blood, being chased out of the building by Abdelrazzaq. Abdelrazzaq was holding a knife in his right hand over his head and a large brown colored glass jar in his other hand. He was yelling unintelligibly as he chased [redacted] Detreville believed that the contents inside the jar might be the same liquid that was thrown on the male adults he had seen with their skin peeling off.

Detreville said that [redacted] veered to his left as he was being chased by Abdelrazzaq. At the same time Abdelrazzaq made eye contact with Detreville and then ran directly towards him and Deputy Michael Davis. Davis had been standing next to Detreville. Fearing that he or Davis were going to stabbed or have hazardous chemicals thrown on them, Detreville drew

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[2] The location is a gas station near the Maxdem building.

[3] The two were identified as [redacted] and [redacted] Both were Maxdem employees.

his service pistol and told Abdelrazzaq to stop. As Abdelrazzaq continued to advance on the deputies, Detreville stepped back and fired one round at him. He saw the round strike Abdelrazzaq in the chest. Abdelrazzaq continued to advance on the deputies, and when he came within six to eight feet of them, Detreville fired two more rounds at him. Abdelrazzaq collapsed and fell to the ground at which time he either dropped or threw the glass jar toward the deputies. The jar shattered and spilled liquid on the ground. Detreville noticed a distinct odor coming from the liquid on the ground.

Deputy Davis told investigators that he was at the San Dimas Sheriff's Station when he was advised that there was a "man with a knife" call on Arrow Highway. He and his partner responded to the location in a marked black and white Sheriff's Department patrol car.

When he arrived at the location, he saw Detreville, [redacted] and [redacted] He noticed that the skin on [redacted] and [redacted] arms was peeling off and that one of them was dressed only in his underwear. He heard them both say, "He burned us." At about the same time, a lady walked up from behind and said, "There's a guy inside the building and he's holding someone at knife-point." Davis heard a scream or yell, which he described as "bloodcurdling," coming from the front door of the business. He then saw [redacted] who was wearing a white T-shirt covered in blood, being chased out of the building by Abdelrazzaq. Abdelrazzaq was holding a knife in his right hand, raised above his head, with the blade pointing down in a stabbing position and a brown jar in his left hand. Davis then heard someone yell, "That's him,"

Davis said that as Abdelrazzaq ran out of the building, he looked directly at him and Detreville, changed his direction, and ran directly towards them at full speed. Davis believed that the brown jar that Abdelrazzaq was carrying contained the same kind of dangerous chemical that may have been used on [redacted] and [redacted] which caused their skin to peel off. Davis drew his service pistol and believed that Detreville did the same. Davis had to step to one side of Detreville to get a clear sight on Abdelrazzaq. As he brought his gun up, he heard a shot but was not sure if he or Detreville had fired. Abdelrazzaq was eight feet from the deputies when the first round was fired. As Abdelrazzaq continued to charge at them, Davis slowly walked backwards and fired his pistol at him. Davis thought he fired four to five rounds. Abdelrazzaq fell to the ground and a cloud of smoke or liquid appeared from where he fell. He was within four feet of the deputies when he fell to the ground.

Davis believed that if he and Detreville had not shot Abdelrazzaq, he would have thrown the chemicals on the deputies and stabbed them. Davis did not recall if he or Detreville gave any commands to Abdelrazzaq prior to the shooting.

An autopsy of Feras B. Abdelrazzaq was conducted on June 15, 2002 by Los Angeles County Deputy Medical Examiner, Louis A. Peña, M.D. The autopsy revealed that

Abdelrazzaq had a total of 11 gunshot wounds to his body.[4] Doctor Peña noted that most of the bullets traveled through the body in a front to back direction.[5] Doctor Peña ascribed the cause of death as multiple gunshot wounds to the upper body.

[redacted] a chemist at Maxdem, told investigators that he was working at his bench inside the laboratory when he saw Abdelrazzaq, a chemist at Maxdem, mixing something in an unusual way. According to [redacted] mixing is done in small vials with small strokes. Abdelrazzaq was mixing in a large bottle with large strokes. When Abdelrazzaq was told by a co-worker that he was mixing incorrectly, he said "Don't worry about it." Shortly thereafter [redacted] heard an explosion and then screaming. When he turned around he saw [redacted] on fire and yelling, "Help me. Help me." [redacted] attempted to run towards the fire extinguisher but slipped and fell on the wet floor. As he hit the ground he caught on fire. He rolled around on the floor trying to extinguish the fire. [redacted] saw [redacted] a Maxdem employee, with a fire extinguisher attempting to put out the fire. [redacted] was helped out of the building were he and co-worker [redacted] waited for the police to arrive. While waiting for the police he saw Abdelrazzaq chase [redacted] out of the building while holding what appeared to be a knife in his right hand. He saw both [redacted] and Abdelrazzaq running toward deputies and then saw the deputies shoot at Abdelrazzaq.

[redacted] a chemist at Maxdem, told investigators that at approximately 1:00 p.m. he was in the Maxdem building, working at an unoccupied bench with his back towards Abdelrazzaq, who was working at his bench. They were approximately 15 feet apart. [redacted] finished his experiment when he heard what sounded like a bottle smashing on the floor. He looked down at the floor and saw that his shoes and the lower portion of his pants were on fire. He was eventually able to run out of the building to the north parking lot of the business.[6] The act of running caused the fire to extinguish itself. While waiting in the parking lot, [redacted] saw Abdelrazzaq come out of the building holding a bottle in his hand. He believed the bottle was going to be used to cool him down since he had just been on fire. Abdelrazzaq threw the bottle to the ground in front of [redacted] causing his pants to catch on fire again. [redacted] said that he ran to a gas station west of the location. Fortunately for [redacted] the act of running again caused the fire to extinguish itself. Employees at the gas station led him to a back room where he stayed until deputies arrived.

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[4] Nine expended shell casings were recovered from the scene. Several of the wounds were likely caused by one round. For example, gunshot wound XI, a nonfatal wound to his left hand digit may also be related to one of the gunshot wounds to his chest. The round likely struck his hand first before entering his chest.

[5] The direction of gunshot wounds to Abdelrazzaq's right and left arm, and right and left hand were described as back to front.

[6] The company had designated this area as a meeting place in case a fire were to occur inside the business.

[redacted] told investigators that Abdelrazzaq had become very paranoid lately and thought that people were out to "get him."

[redacted] a chemist at Maxdem, told investigators that at the time of the incident he saw a co-worker, [redacted] catch on fire in the lab area of the company. When he went to help [redacted] he saw a bottle break on the floor near his feet and he himself caught on fire. He dropped to the ground and crawled to a dry area where he rolled around to put the fire out. He believed that Abdelrazzaq threw the bottle at him because it was a bottle of solvent which had come from his direction. He also saw co-worker [redacted] catch on fire. [redacted] ran to the phone and called 9-1-1. He then ran out of the building and when he reached the parking lot he saw that personnel from the Sheriff's Department and Fire Department had already arrived.

As Wilson was talking to the deputies, he saw another employee, [redacted] run out of the building yelling, "He's hurting me. He's stabbing me." [redacted] had blood on his shirt. [redacted] saw Abdelrazzaq behind [redacted] chasing him. Abdelrazzaq had a knife in his right hand and a bottle in his left hand. The knife was positioned over his head as if he was about to stab [redacted] As the two ran past him toward the deputies, he heard one or more of the deputies order Abdelrazzaq to "Drop the weapon. Put the bottle down." When Abdelrazzaq came within two feet of [redacted] he heard four to five gunshots and then saw Abdelrazzaq lying on the ground.

[redacted] an employee at Maxdem, told investigators that he had been working in the building when he heard glass break in the lab area. He turned around and saw a fire in Abdelrazzaq's work area. [redacted] put the fire out with a fire extinguisher. Shortly thereafter he saw two co-workers, [redacted] and [redacted] on fire. [redacted] was rolling around on the floor trying to extinguish the fire. According to [redacted] he helped put these fires out too. He then began looking for more fire extinguishers to battle the remaining fires in the lab. [redacted] went into the hallway and saw [redacted] vice president of the company, on the floor being attacked by Abdelrazzaq. Abdelrazzaq was standing over [redacted] making downward stabbing-type motions with his right hand. [redacted] could not see what was in his hand.[7] He was able to get in between Abdelrazzaq and [redacted] which allowed [redacted] to run away. Abdelrazzaq then armed himself with a large kitchen knife and stabbed [redacted] once in the stomach.[8] [redacted] was eventually able to escape by running out of the building. As he fled he saw that Abdelrazzaq, who was chasing him, was holding a knife over his head in a threatening manner. He also noticed two deputies outside of the building. As he ran past the

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7 Based on other eyewitness accounts, it is believed that Abdelrazzaq was armed with a screwdriver.

8 [redacted] showed investigators a stab wound he had to the back of his head. He did not know how he sustained this injury.

deputies he saw Abdelrazzaq appear to run towards the deputies. He then saw the deputies shoot him at least twice, causing him to fall backwards onto the ground.

[redacted] the vice president in Charge of Corporate Development at Maxdem, told investigators that in the past he had many confrontations with Abdelrazzaq regarding what he characterized as "sloppy work." At approximately 1:45 p.m., while in the lunch room at work, he was told that there was a fire in the lab area. [redacted] picked up a fire extinguisher and ran to the lab area.

When [redacted] reached the lab area he extinguished one of the fires. He said that the lab looked like a "battle zone" with several fires in different areas. He saw [redacted] standing by one of the office doors removing his clothes. Shortly thereafter he saw Abdelrazzaq holding on to the shoulders of a co-worker, [redacted] Abdelrazzaq released her and ran over to [redacted] somehow fell to the ground and Abdelrazzaq began hitting him with a screwdriver. He was able to escape by running outside to a gas station west of the building. From the gas station he saw Abdelrazzaq chase someone out of the building while holding something in his right hand. As he ran in the direction of the deputies he heard them yell, "Hold it" twice. According to [redacted] Abdelrazzaq appeared to ignore the deputies and continued to run in their direction. [redacted] heard three to four gunshots and saw Abdelrazzaq fall to the ground.

LEGAL SUMMARY AND CONCLUSION

California law permits the use of deadly force in self-defense or in the defense of another if it reasonably appears to the person claiming the right of self-defense or in the defense of another that he actually and reasonably believed that he was in imminent danger of great bodily injury or death. People v. Williams (1977) 75 Cal. App. 3d 731.

In protecting himself or another, a person may use all force which he believes reasonably necessary and which would appear to a reasonable person, in the same or similar circumstances, to be necessary to prevent the injury which appears to be imminent. California Jury Instructions—Criminal (CALJIC) 5.30, 5.32.

Before Deputies Detreville and Davis confronted Abdelrazzaq, they knew that there was an individual in the building who was armed with at least a knife and possibly hazardous chemicals. They also knew that several victims had been stabbed and burned by chemicals. As [redacted] came running out of the building yelling for help the deputies simultaneously heard someone say, "There he is." They then saw Abdelrazzaq holding a knife in his right hand over his head and a large brown colored glass jar in his other hand . It appeared as if he was chasing [redacted] whose shirt was soaked in blood. According to the deputies and civilian witnesses, Abdelrazzaq then directed his attack at the deputies by running in their direction in a menacing manner. Despite the deputies' orders to stop, he continued to charge at them.

Under these circumstances the use of deadly force by Deputies Detreville and Davis was justified as a lawful act of self-defense and defense of others. It was reasonable for the deputies to believe that their lives and the lives of those in the area were in imminent danger of death or great bodily harm.

Having concluded that Deputies Detreville and Davis acted lawfully, we are closing our file and will take no further action in this matter.

Very truly yours,

STEVE COOLEY
District Attorney

By [signature]

HECTOR GUZMAN
Deputy District Attorney
(213) 974-3892

c: Deputy John Detreville, #[redacted]
Deputy Michael Davis, #[redacted]

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